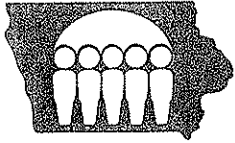


EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

JUNE 3, 2013

1. Introduction of Attendees
2. Approval of minutes of meeting held May 28, 2013
3. Personal Appearance –
 - A. Marvin Shultz, Department of Human Services will be present to request a Resolution of Funds for the disasters in Buena Vista, Butler, Cherokee, Floyd, Iowa, Jasper, Marshall, Plymouth, Sioux, Tama, Wright, Grundy, Johnson, Mitchell, Poweshiek, Wapello and other counties as added by Governors proclamation in the amount of \$500,000.00 pursuant to House File 896 Section 1.
TAB # 1
 - B. Patrick Hall, Department of Public Defense, Iowa Homeland Security and Emergency Management Division, will be present to request a Contingent Fund Loan time extension for the City of Volga.
TAB # 2



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

TAB # 1

May 30, 2013

Executive Council
Attn: GeorgAnna Madsen
Capitol Building
LOCAL

Item: Governor Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Madsen:

Per the Governor Disaster Declaration, I am requesting funding for the Iowa Individual Assistance Grant Program be placed on the Executive Council Agenda for Monday, June 3, 2013. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution to allow Funds in the amount of \$500,000.00 for Individual Assistance in Buena Vista, Butler, Cherokee, Floyd, Iowa, Jasper, Marshall, Plymouth, Sioux, Tama, Wright, Grundy, Johnson, Mitchell, Poweshiek, Wapello and other counties as added by Governors proclamation, pursuant to House File 896 Section 1 as may be amended with this same declaration.

The account coding for the funds to be transferred was and remains:

Dept Fund Appr Org
401 0391 0000 1304_ State Only Disaster – May 26th and continuing for Buena Vista, Butler, Cherokee, Floyd, Iowa, Jasper, Marshall, Plymouth, Sioux, Tama, Wright, Grundy, Johnson, Mitchell, Poweshiek, Wapello and other counties as added by Governors proclamation

Thank you for your assistance.

Sincerely,

Charles M. Palmer
Director

cc: Vern Armstrong
Marvin Shultz
Kris Thomas
Lee Hill



TAB # 2

2013 MAY 20 PM 3:51

STATE OF IOWA

TERRY E. BRANSTAD
GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

DEPARTMENT OF PUBLIC DEFENSE
IOWA HOMELAND SECURITY AND
EMERGENCY MANAGEMENT DIVISION
MARK SCHOUTEN, HOMELAND SECURITY ADVISOR
AND EMERGENCY MANAGEMENT ADMINISTRATOR

May 21, 2013,

Ms. GeorgAnna Madsen, Executive Secretary
Executive Council of Iowa
LOCAL

Subject: Executive Council Agenda for June 3, 2013

Dear Ms. Madsen:

I respectfully request that the City of Volga's time extension request to their Contingency Loan repayment schedule be placed on the June 3, 2013, Executive Council Agenda.

Please find enclosed the following items to support the City's request:

- City of Volga's modification request and resolution approving the revised repayment schedule
 - Repayment schedule for the remaining balance of \$23,625
 - Year 2014 \$5,906.25
 - Year 2015 \$5,906.25
 - Year 2016 \$5,906.25
 - Year 2017 \$5,906.25
- Attorney General's Office review pursuant to Section 29C.20
 - City of Volga's request complies with the statutes and rules governing the contingency fund

I recommend that the City of Volga's time extension be approved.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Schouten", written over a horizontal line.

Mark Schouten
Administrator

Enclosures



VOLGA CITY



305 Washington Street — PO Box 110, Volga City, Iowa 52077
PH: 767-3511 volgacityiowa.com

Mayor: Bill Crandall Mayor Pro-Tem: Jean Elaine Follon
Council: Tom Bading, Peter Duff, Carrie Taylor, Jesse Osmundson
City Clerk: Kristin Klingman Maintenance: Victor Haynes Water/Sewer Superintendent/Thandplate Administrator: Thomas Duff

March 14, 2013

Bonnie Rieder
Homeland Security and Emergency Management Division
7900 Hickman Road, Suite 500
Windsor Heights, IA 50324

Dear Bonnie,

The City of Volga is requesting a modification to the repayment terms of the 0% Contingency Loan held by the State of Iowa.

The City was originally approved for a \$236,250 loan in May of 2000 to construct a 13 lot subdivision to help maintain the population of our community following the flood of 1999 and FEMA Buyout. The subdivision was started within 10 months of the flood event, and to date 8 of the 13 lots have been purchased for new or relocated homes, 2 of them within the last 2 years. Revenue from the sale of the lots has been paid toward the loan balance and the lots continue to be listed with a local realtor. The Debt Service Levy has been utilized annually to assist in covering a portion of the payment, approximately \$900/year. The remaining portion of the loan payment comes from the General Fund, and population and revenue declines continue to make it difficult to meet the required \$11812.50 payment at this time.

The original terms of the loan were 10 annual payments of \$23,650. At the time of the original loan application, the City's population had dropped from a pre-flood population of 300 to 247. The effects of the additional strain on the city's tax base due to the loss of 33 homes following the flood led the City to request a modification to the amount of annual payment in 2005. The City worked with your office to modify the repayment amounts to \$11,812.50 per year, to be paid off in FY 14-15.

Following the last census, the population of Volga is at 208. The Council is looking at ways to alleviate the budget constraints we are trying to deal with. At this time, we are requesting the following repayment schedule for the remaining balance of \$23625.00:

April 1, 2014	5906.25
April 1, 2015	5906.25
April 1, 2016	5906.25
April 1, 2017	5906.25

This schedule will maintain that the loan is paid off within the maximum 20-year time frame as required.

We thank you for your consideration of this request. Please contact City Hall at 563-767-3511 if you have any questions.

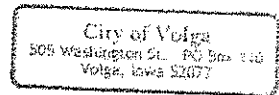
Sincerely,

Bill Crandall, Mayor
Volga City

RECEIVED

MAR 20 2013

Disaster Recovery Operations



ANN. Kaitie K...

RESOLUTION 2013-2

A RESOLUTION FOR THE PURPOSE OF REQUESTING AN EXTENSION OF THE REPAYMENT SCHEDULE OF THE DISASTER AID LOAN OBTAINED FROM THE STATE OF IOWA IN RESPONSE TO THE FLOOD ON MAY 16 AND MAY 17, 1999

BE IT RESOLVED by the City Council of Volga, Iowa that the State Disaster Aid shall be repaid according to the State Statutes in the following manner:

Remaining Balance of Original Loan: \$23625.00

Date of Application: April 1, 2013

Extension Requested: 4 years

REPAYMENT SCHEDULE

YEAR/AMOUNT

2014 \$5906.25

2015 \$5906.25

2016 \$5906.25

2017 \$5906.25

TOTAL TO BE REPAYED: \$23625.00

BE IT FURTHER RESOLVED that these 4 annual payments shall be considered as Debt Service under the General Fund and to be paid out of the same.

PASSED AND APPROVED this 1st day of April, 2013.

AYES: D.H. Follen, Commissioner, Taylor

NAYS: —

ABSENT: B. King

Don W. Sandell
MAYOR

ATTEST: Kristin Kinsman
City Clerk

RECEIVED

APR 09 2013

Disaster Recovery Operations

THOMAS J. MILLER
ATTORNEY GENERAL



Iowa Department of Justice

ADDRESS REPLY TO:
Licensing & Administrative Law
1305 E. Walnut Street
Des Moines, IA 50319
Telephone: 515/281-5164
Fax: 515/281-4209
www.iowaAttorneyGeneral.org

April 30, 2013

Mark Schouten, Administrator
Iowa Homeland Security and Emergency Management
Division of Department of Public Defense
7105 NW 70th Avenue
Camp Dodge – Building W-4
Johnston, Iowa 50131

Re: City of Volga, Request for Extension of Repayment Schedule for Contingent Fund Loan

Dear Administrator Schouten:

Pursuant to your request, I reviewed the request for extension of the repayment schedule for an outstanding contingency fund loan which your office received from the City of Volga. I offer the following observations regarding compliance with the requirements set forth in Iowa Code section 29C.20 and the administrative rules implementing the same (*i.e.*, Iowa Admin. Code 361 ch. 7).

Iowa Code § 29C.20 establishes a state contingent fund under the control of the Executive Council, which may be expended in the form of no interest loans to aid "any governmental subdivision in an area declared by the governor to be a disaster area due to natural disasters or to expenditures necessitated by the governmental subdivision toward averting or lessening the impact of the potential disaster, where the effect of the disaster or action on the governmental subdivision is the immediate financial inability to meet the continuing requirements of local government." To be eligible for a disaster loan, "a governmental subdivision must have potential or actual expenditures for disaster caused local government expenses amounting to at least \$6 for each person . . . in the governmental subdivision." Iowa Admin. Code r. 361-7.5(1). Contingent funds may be used by a local government for disaster response, recovery, and mitigation expenditures, including debris clearance. See Iowa Code § 29C.20(1); Iowa Admin. Code r. 261-7.5(1). Upon application, a governmental subdivision that has disaster related expenditures meeting this threshold may be awarded "a loan up to a limit of seventy-five percent of the showing of obligations and expenditures." Iowa Code § 29C.20(6)(b). Furthermore, while the loans may be made by the executive council in its discretion, "[t]he aggregate total of loans shall not exceed one million dollars during a fiscal year." Id. Rules governing the loan repayment program require the repayment of a contingency

April 30, 2013
Administrator Schouten
Page two

fund loan "within 20 years." Iowa Admin. Code r. 361—7.5(1).

On May 16, 1999, the City of Volga experienced severe flooding from the Volga River. On May 17, 1999, the Governor issued a Proclamation of Disaster Emergency for flooding and storm damage in Clayton County, which includes the City of Volga. On or about May 21, 1999, the area was included within a Presidential Disaster Declaration (DR-1277).

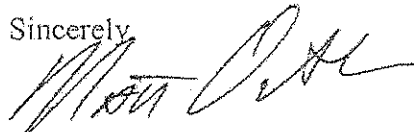
In the spring of 2000, the Executive Council granted the city's contingency fund loan application in the amount of \$236,250.00 to cover a portion of the cost of a mitigation project involving the creation of a new subdivision to providing housing outside of the flood plain. As originally approved by the Executive Council, the loan was scheduled for repayment within 10 years.

After timely making the first five installment payments, in or about May 2005, the City of Volga requested an extension of the repayment period to allow the balance of \$118,125.00 to be repaid in 10 additional annual payments of \$11,812.50 per year. The Executive Council approved the city's extension request.

Currently, the City of Volga anticipates difficulty in completing repayment according to the 2005 modified repayment schedule. The city is requesting an extension of the repayment period to allow the remaining balance owed (*i.e.*, \$23,625.00) to be paid in four annual payments of \$5,906.25 due on April 1, 2014; April 1, 2015; April 1, 2016; and April 1, 2017. This would result in loan repayment in less than 20 years as required by Iowa Administrative Code r. 361—7.5(1).

Based on the information provided to me for review, it appears the City of Volga's request is in proper form and that the request complies with the statutes and rules governing the contingency fund.

Sincerely



Matt Oetker
Assistant Attorney General

MTO/mo

cc: Julie F. Pottorff
Deputy Attorney General

RECEIVED

MAY 03 2013

Disaster Recovery Operations